

REMARKS

REJECTIONS UNDER 35 U.S.C. § 101

Claims 1, 5, 7-8, 12-13 and 17 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. As discussed in the Examiner Interview on March 17, 2009, the rejected claims are all tied to specific hardware (e.g., web application server) and are statutory under § 101.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1, 5, 7-8, 12-18, 20, 23, 25, 27-29, 31, 34-36, 39 and 42-43 were rejected under 35 U.S.C. § 102(a) as being anticipated by NPL1 to Dessiatnikov “Securing SZL Connection String”(GIAC Security Essentials Certification Practical Assignment – version 1.4b Option 1 SANS Institute January 8, 2004) (*Dessiatnikov*). Claims 5, 7, 31, 34-35 and 42-43 have been cancelled, rendering the rejection of these claims moot. Applicant submits the remaining claims are not anticipated by *Dessiatnikov* for at least the reasons set forth below.

Claim 1 has been amended to recite, in part, the following:

accessing a user-configurable key phrase from a key phrase file located in a shared directory accessible by a plurality of web application servers in response to receiving the database access statement;
combining a system identifier of the web application server with the user-configurable encryption key phrase to create an encryption key;
obtaining an encrypted string from a secure storage file in the shared directory via a find operation;
parsing the encrypted string into substrings; and
decrypting one of the substrings with the encryption key to obtain connection information to a database including a password and an address for the database.

Independent claims 18, 31, 36 and 39 recite similar limitations. The Office action cites *Dessiatnikov* as disclosing the limitations of claim 1. Applicant submits *Dessiatnikov* fails to disclose the limitations cited above “in as complete detail as is contained in the claim,” as required by *Richardson v. Suzuki Motor Co.* (868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed Cir. 1989)). Furthermore, per *NetMoneyIn v. Verisign* (Fed Cir. 2008), 35 U.S.C. § 102 “embodies the concept of novelty—if a device or process has been previously invented (and disclosed to the public), then it is not new, and therefore the claimed invention is ‘anticipated’ by the prior invention. . . . Because the hallmark of anticipation is prior invention, the prior art reference—in order to anticipate under 35 U.S.C. § 102—must not only disclose all elements of the claim within the four corners of the document, but must also disclose those elements ‘arranged as in the claim.’”

Given the law set forth above, Applicant submits that *Dessiatnikov* does not disclose the above recited limitations as arranged in the claim. For example, claim 1 recites accessing a user-configurable key phrase from a shared directory that is accessible by a plurality of web application servers in response to receiving a database access statement. Paragraph 3 of the section entitled “Encrypting Data” in *Dessiatnikov* is cited as disclosing accessing a key phrase from a directory. The cited portion actually discusses Microsoft’s DPAPI as a protection service that functions on the operating system level. It is alleged in *Dessiatnikov* that DPAPI generates user-specific or machine specific encryption keys. However, *Dessiatnikov* does not explain how the encryption keys are generated. Even if one were to assume that a DPAPI machine-specific key, for example, includes a component derived from a system identifier (which is not conceded

as being disclosed by *Dessiatnikov*), there is no indication of another component being a user-configurable encryption key phrase accessed from a shared directory that is accessible by a plurality of web application servers.

Furthermore, Applicant submits *Dessiatnikov* fails to disclose parsing the encrypted string into substrings and decrypting one of the substrings. The cited portion of *Dessiatnikov* merely discusses general properties of connection strings. There is nothing explicit disclosed in *Dessiatnikov* about parsing an encrypted connection string and decrypting one of the substrings to obtain database connection information. Nor does the Office action or *Dessiatnikov* provide any basis in fact or technical reasoning to establish the inherency of parsing an encrypted connection string and decrypting one of the substrings to obtain database connection information. Applicant asserts that the lack of basis and/or technical reasoning is because it is simply not inherent to parse an encrypted connection string and decrypt one of the substrings to obtain database connection information.

For at least the reasons set forth above, Applicant submits claims 1, 18, 31, 36 and 39 are not anticipated by *Dessiatnikov*.

Applicant submits the remaining dependent claims are also not anticipated by *Dessiatnikov* for at least the same reasons claims 1, 18, 31, 36 and 39 are not anticipated.

REJECTIONS UNDER 35 U.S.C. § 103

Claim 30 was rejected under 35 U.S.C. § 103(a) as being obvious in view of *Dessiatnikov* and further in view of U.S. Patent Publication No.: 2003/0105977 to Brabson et al. (*Brabson*). Claim 30 depends from claim 18 and necessarily includes the limitations of the independent claim. According to the discussion above, *Dessiatnikov*

fails at least to disclose various limitations of claim 18. Whether or not *Brabson* discloses the limitations cited in the Office action, which Applicant does not concede, *Brabson* does not cure the deficiencies of *Dessiatnikov*. Accordingly, Applicant submits claim 30 is not obvious in view *Dessiatnikov* and *Brabson*.

CONCLUSION

For at least the foregoing reasons, Applicant submits that the rejections have been overcome. Therefore, claims 1, 8, 12-18, 20, 23, 25, 27-29, 36 and 39 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

April 17, 2009
Date

/Jared S. Engstrom/
Jared S. Engstrom
Reg. No. 58,330
Attorney for Applicant

1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
Telephone: 503-439-8778

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below:	
Date: 4/17/2009	<u>/Heidi Yerton/</u> Heidi Yerton